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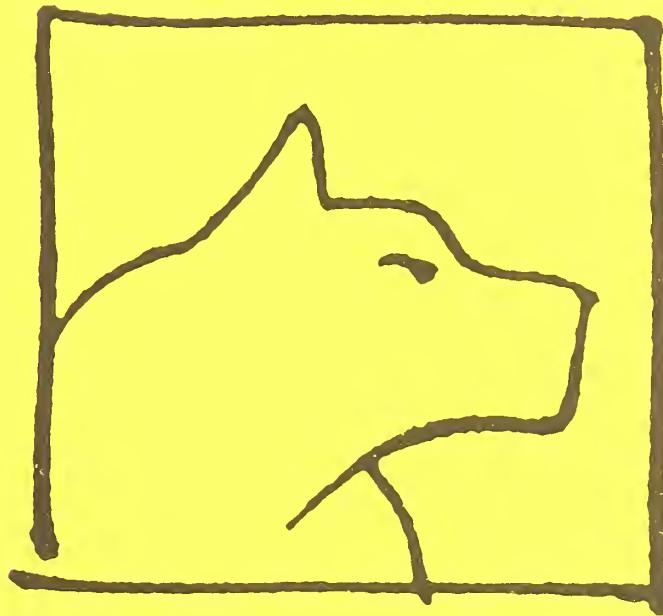
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# Animal Welfare Legislation: Bills and Public Laws 1989

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# **Animal Welfare Legislation: Bills and Public Laws 1989**

**AWIC Series #2**

**Karen Clingerman, Sean Gleason, and Janice Swanson  
Animal Welfare Information Center**



**Animal  
Welfare**

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NOTE: This document is an update to the Animal Welfare Legislation: Bills and Public Laws 1980 - October 1988 and supersedes the following documents:

Animal Welfare Legislation: November 1988 - January 1989: Bills submitted to the 101st Congress

Animal Welfare Legislation: February - April 1989: Bills submitted to the 101st Congress

Animal Welfare Legislation: May - July 1989: Bills submitted to the 101st Congress.

Annotations are derived from the bill text and are designed to reflect the content of the document. Updates may be requested from the Animal Welfare Information Center (see previous page for contact information).

The status of bills which were in the 100th Congress now changes to "died" with the commencement of the 101st Congress. In order for action to take place on any bill it must be resubmitted to the new congress.

Bills and public laws from the present congress may be requested by contacting the following offices:

Senate Document Room  
B-04 Hart Senate Office Bldg.  
Washington, D.C. 20510  
(202) 224-7860

House Document Room  
H-226, U.S. Capitol  
Washington, D.C. 20515  
(202) 225-3456

Bills and public laws from previous congresses may be obtained from the Library of Congress.





ANIMAL WELFARE LEGISLATION: BILLS SUBMITTED TO THE  
101ST CONGRESS  
1989

1. November 7, 1989; S. 1392.

(To amend the Public Health Service Act to provide grants for the expansion or renovation of biomedical and behavioral research facilities, to establish a National Center for Medical Rehabilitation Research, to establish senior biomedical scientific service, and for other purposes.); 101st Congress.

This Act may be cited as the "Biomedical and Behavioral Research Act of 1989". A Senior Biomedical Scientific Service shall be established. The Service members shall perform duties directly involving biomedical research, behavioral research, or clinical research evaluation, or to duties involving the supervision of other scientists engaged in carrying out these activities. A National Center for Medical Rehabilitation will be established which will conduct and support biomedical research and training, disseminated health information, and conduct programs relating to medical rehabilitation. The Center may make grants, provide for clinical trials and research on model systems, and coordinate or support multidisciplinary research.

SENATE COMMITTEE: Labor and Human Resources.  
SPONSOR: Kennedy.  
STATUS: No action.

2. September 26, 1989; H.R. 3349.

(To amend the Public Health Service Act to provide for the protection of certain health facilities from illegal activities and to support regional centers for research on primates.); 101st Congress.

This Act may be cited as the "Health Facilities Protection and Primate Center Rehabilitation Act". Any facility receiving Public Health Service funding is protected from individuals who release animals, injure an animal, destroy or alter records, deter individuals from entering or exiting a facility, take personal property or break and enter a facility with the intent to carry out any of these acts. Grants will be made available to public or nonprofit private entities to construct, renovate, or improve regional primate centers. Not more than \$8,000,000 will be made available for grants.

HOUSE COMMITTEE: Energy and Commerce.  
SPONSOR: Waxman.  
STATUS: No action.

3. September 13, 1989; H.R. 3270.

(The farm animal research facilities protection act of 1989); 101st Congress.

The Food Security Act of 1985 (P.L. 99-198) is amended by adding the following subtitle: "Subtitle D--Protection of Farm Animal and Research Facilities". A person commits an offense if the person removes an animal or property from a facility with the intent to disrupt or damage the facility, or if the person enters the facility, conceals himself, or remains on the facility without the owner's consent.

HOUSE COMMITTEE: Agriculture.

SPONSOR: Stenholm.

STATUS: No action.

4. September 13, 1989; S. 13.

(To amend title 38, United States Code, to increase the rates of disability compensation and dependency and indemnity compensation for veterans and survivors, to increase the allowances paid to disabled veterans pursuing rehabilitation programs and to the dependents and survivors of certain disabled veterans pursuing programs of education, and to improve various programs of benefits and health-care services for veterans; and for other purposes.); 101st Congress.

Section 216 discusses a pilot program for providing assistive animals to certain veterans. Assistive monkeys or service dogs will be provided to quadriplegic veterans. Candidates for these animals must be able to care for the animal and effectively use the animal to carry out daily living tasks. Section 217 discusses signal dogs for disabled veterans. Signal dogs are specially trained to assist hearing impaired individuals.

SENATE COMMITTEE: Veterans' Affairs.

SPONSOR: Cranston.

STATUS: No action.

RELATED BILLS: H.R. 2044 April 1989.

5. September 6, 1989; H.R. 3223.

(To amend the Animal Welfare Act to protect animal research facilities, and for other purposes.); 101st Congress.

This Act may be cited as the Animal Welfare Improvements Act of 1989". Any person may commence a civil action on behalf of an animal protected by the Animal Welfare Act. It shall be unlawful for any person to intentionally cause the loss of any animal from a research facility, except temporarily, for the purpose of documenting violations. It is unlawful for a person to damage or steal equipment, or break and enter any facility. Similar actions are prohibited with regard to farm animals and facilities. A study on the use of animals in research is also recommended.

HOUSE COMMITTEE: Agriculture.

SPONSOR: Rose.

STATUS: No Action.

6. July 24, 1989; S. 1391.

(To amend the Public Health Service Act to establish a Foundation for Biomedical Research, and for other purposes.); 101st Congress.

This Act may be cited as the "Foundation for Biomedical Research Act of 1989". A nonprofit corporation, known as the Foundation for Biomedical Research, shall be established. The Foundation will not be an agency of the United States Government but will be established under paragraph (1) under the Corporation and Associations Articles of the State of Maryland. The Foundation shall support the intramural research of the National Institutes of Health and the Alcohol, Drug Abuse, and Mental Health Administration.

SENATE COMMITTEE: Labor and Human Resources.

SPONSOR: Kennedy.

STATUS: No action.

7. July 21, 1989; H.R. 2975.

(To amend the Endangered Species Act of 1973 to authorize the Secretary of the Interior to make grants for projects for the propagation of species that are listed under that Act as endangered or threatened species.); 101st Congress.

This Act may be cited as the "Endangered and Threatened Species Propagation Act of 1989". A grants program shall be implemented. The amount of the grant shall not exceed 50% of the total cost for the project. Contributions to support a project may be accepted by the Secretary. These contributions may be distributed by the Secretary without any further appropriation, and these funds or services shall be considered part of the non-Federal share of the cost of a project.

HOUSE COMMITTEE: Merchant Marine and Fisheries.  
SPONSOR: Tauzin.  
STATUS: No Action.

8. July 17, 1989; S. 1330.

(To provide protection to farm animal facilities engaging in food production or agricultural research from illegal acts, and for other purposes.); 101st Congress.

This Act may be cited as the "Farm Animal Facilities Protection Act of 1989". Due to the increasing number of illegal acts against farm facilities which threaten food production and animal research, congress recommends federal protection of these facilities. Destruction of property, release or theft of animals or trespassing on a farm facility is prohibited.

SENATE COMMITTEE: Agriculture, Nutrition, and Forestry.  
SPONSOR: Helms.  
STATUS: No action.

9. June 27, 1989; H.R. 2766.

(To amend the Animal Welfare Act to include mice, rats, and birds within the definition of animals protected under the Act); 101st Congress.

This Act broadens the scope of the Animal Welfare Act by adding the phrase "mouse, rat, bird," after "rabbit".

HOUSE COMMITTEE: Agriculture.  
SPONSOR: Towns.  
STATUS: No action.

10. June 8, 1989; H.R. 2596.

(To provide for the transfer of certain animals, commonly known as the Silver Spring Monkeys, to any of certain entities.); 101st Congress.

The animals will be transferred to the entity with which the agreement is made. The agreement stipulates that the entity will reimburse the U.S. for any expenses incurred after the date of transfer and will not transfer the animals unless so authorized by the Secretary of Health and Human Services. The animals are the surviving members from the Institute of Behavioral Research, Inc. The entities are Primarily Primates, Inc., Moorpark College and the San Diego Zoo.

HOUSE COMMITTEE: Energy and Commerce.

SPONSOR: Smith.

STATUS: No action.

RELATED BILLS: S. 2707 Aug. 1988,  
H.R. 2883 July 1987,  
H.Con.Res. 351 June 1986,  
S.Con.Res. 147 June 1986.

11. May 31, 1989; H.R. 2519.

(To ban the importation of all ivory products into the United States, to revoke most-favored-nation treatment of the products of elephant-producing countries that do not have, or enforce, appropriate protection for the animals, and for other purposes.); 101st Congress.

This Act may be cited as the "African Elephant Preservation Act of 1989. Appropriate protection sanctions shall be determined for those elephant-producing countries. It shall be unlawful to import or export raw or worked ivory into or from the United States. Violators will be fined or jailed or both. It is the sense of congress that trade in endangered and threatened species products be reduced or eliminated.

HOUSE COMMITTEE: Referred jointly to Foreign Affairs and Ways and Means.

SPONSOR: Kasich.

STATUS: No action.

RELATED BILLS: H.R. 3048 April 1981.



12. May 18, 1989; H.Con.Res. 129.

(Expressing the sense of the Congress that the Secretary of the Interior should list the African Elephant as an endangered species under the Endangered Species Act.); 101st Congress.

Whereas the population of African elephants has been reduced, protection efforts have proven fruitless, and slaughter of these animals by poachers is considered reprehensible, Congress recommends that the Secretary of the Interior should take action to list the African elephant as an endangered species under the Endangered Species Act (16 U.S.C. 1531 et seq.)

HOUSE COMMITTEE: Merchant Marine and Fisheries.

SPONSOR: Horton.

STATUS: No Action.

13. May 16, 1989; H.R. 2345.

(To amend section 19 of the Animal Welfare Act (7 U.S.C. 2149).); 101st Congress.

Any person may commence a civil action on his own behalf or on the behalf of any animal to compel the person(s) charged to execute their duty of enforcing the provisions of the Animal Welfare Act. The court may award costs of litigation, attorney and expert witness fees and other expenses to the plaintiff or the defendant depending on the action.

HOUSE COMMITTEE: Referred jointly to Agriculture and the Judiciary.

SPONSOR: Rose.

STATUS: No action.

PREVIOUSLY SUBMITTED AS: H.R. 1770 March 1987,  
H.R. 4535 April 1986.

14. May 2, 1989; S. 891.

(To provide for the modernization of testing of consumer products which contain hazardous or toxic substances.); 101st Congress.

This Act may be cited as the "Consumer Products Safe Testing Act". Congress has found that the LD50 test is inaccurate and unnecessary in product testing. Private industry and the consumer will benefit from alternative methods. The use of the LD50 test for product safety and labeling is prohibited. Other toxicity tests will be evaluated as to their validity and non-animal substitutions will be recommended.

SENATE COMMITTEE: Commerce, Science and Transportation.

SPONSOR: Reid.

STATUS: No Action.

PREVIOUSLY SUBMITTED AS: H.R. 1676 April 1989,

H.R. 1635 March 1987.

RELATED BILLS: H.R. 1877 Jan. 1986.

15. April 18, 1989; H.R. 2044.

(To direct the Secretary of Veterans' Affairs to conduct pilot programs for the provision of assistive animals to quadriplegic and hearing-impaired veterans.); 101st Congress.

This Act may be cited as the "Disabled Veterans and Assistive Animals Partnership Act of 1989". Establishes pilot programs using dogs and monkeys to aid quadriplegic veterans and to provide signal dogs to hearing-impaired veterans.

HOUSE COMMITTEE: Veterans' Affairs.

SPONSOR: Kennedy.

STATUS: No action.

16. April 7, 1989; S. 727.

(To amend the Animal Welfare Act to provide protection to animal research facilities from illegal acts.); 101st Congress.

This Act may be cited as the "Animal Research Facilities Protection Act of 1989". Congress finds that there has been an increase in illegal acts on research facilities which can jeopardize research, threaten public safety, result in loss of money, destroy research data and records and threaten the welfare of research animals. It shall be unlawful for any person to cause the loss of any animal from a research facility, destroy any property or enter into a research facility under false pretense for the purpose of vandalization or theft of property. Violators will be charged the cost of repair or replacement of property and/or the cost of repeating any interrupted or invalidated experiments.

SENATE COMMITTEE: Agriculture, Nutrition and Forestry.

SPONSOR: Heflin.

STATUS: Passed Senate with amendment on November 20, 1989.

17. April 6, 1989; S. 723.

(To authorize the Secretary of Agriculture to establish and carry out programs to eradicate the disease of scrapie in the sheep and goat populations of the United States and conduct research regarding scrapie, and for other purposes.); 101st Congress.

This Act may be cited as the "Scrapie Eradication Act". Findings indicate that scrapie is a fatal disease of the nervous system in sheep and goats with no known cure. The most effective method of dealing with the problem of scrapie and to prevent the spread of scrapie is the eradication of the disease. The program will include research on methods to detect infection, treatment and prevention, and methods of controlling the spread of scrapie.

SENATE COMMITTEE: Agriculture, Nutrition, and Forestry.

SPONSOR: Harkin.

STATUS: No Action.

PREVIOUSLY SUBMITTED AS: H.R. 799 Feb. 1989



18. April 5, 1989; H.R. 1693.

(To limit the killing of wildlife in the National Wildlife Refuge System.); 101st Congress.

This Act may be cited as the "Refuge Wildlife Protection Act of 1989". The purposes of this Act are to reaffirm that national wildlife refuges are sanctuaries for wildlife and to prohibit the killing of wildlife for sport, recreation, or commercial purposes on these refuges.

HOUSE COMMITTEE: Merchant Marine and Fisheries.

SPONSOR: Green.

STATUS: No action.

19. March 22, 1989; H.R. 1557.

(To regulate the use of genetically-engineered animals in agricultural activities, and for other purposes.) 101st Congress.

This Act may be cited as the "Transgenic Animal Regulatory Reform Act". Establishes Biotechnology Science Coordinating Committee. Defines a genetically-engineered animal as an animal that has been deliberately altered to contain genetic material from more than one taxonomic genus and is not regulated under the Toxic Substances Control Act. Unless issued a permit no person may use a genetically engineered animal in an agricultural activity. Permits will be reviewed by the Transgenic Animal Advisory Committee.

HOUSE COMMITTEE: Referred jointly to Science, Space, and Technology, and Agriculture.

SPONSOR: Kastenmeier.

STATUS: No Action.

RELATED BILLS: S. 2111 Feb. 1988;  
H.R. 1339 Aug. 1987.

20. March 22, 1989; H.R. 1556.

(To amend title 35, United States Code, relating to animal patents.); 101st Congress.

This Act may be cited as the "Transgenic Animal Patent Reform Act". It is not an act of infringement for a farmer to reproduce a patented transgenic farm animal through breeding or to sell the animal's offspring. The sale of germ cells, semen or embryos of a patented transgenic farm animal is, however, an act of infringement.

HOUSE COMMITTEE: Judiciary.

SPONSOR: Kastenmeier.

STATUS: No Action.

21. February 22, 1989; H.R. 1064.

(To amend the Animal Welfare Act to prohibit greyhound racing and greyhound race training unless any visual lures used in such racing or training are of artificial or mechanical construction and to make such Act applicable to facilities that are used for greyhound racing or greyhound race training.); 101st Congress.

This Act may be cited as the "Greyhound Racing and Training Control Act of 1989". While previous bills cover dog racing this bill is specific to greyhound racing. Greyhound racing or greyhound race training is prohibited unless artificial or mechanical lures are used. Any interaction with a greyhound used or trained using visual lures that are not artificial or mechanical is prohibited.

HOUSE COMMITTEE: Agriculture.

SPONSOR: Grant.

STATUS: No Action.

RELATED BILLS: H.R. 578 (see item 22).

22. January 20, 1989; H.R. 578.

(To amend the Animal Welfare Act to prohibit dog racing and dog training involving the use of live animals as visual lures and to make such Act applicable to facilities that are used for dog racing or dog race training.); 101st Congress.

This Act may be cited as the "Anti-Live Animal Lure Act of 1989". It shall be unlawful for a person to sponsor, train by or for coursing or a fighting venture, transport or receive any animal involved in interstate or foreign commerce or any animal intended to participate in a fighting or coursing event. Additional statement has been added to Section 26(g) of the Animal Welfare Act to exempt any activity which involves dogs which have been trained to assist an individual in pursuing capturing or killing an animal that has the opportunity to escape.

HOUSE COMMITTEE: Agriculture.

SPONSOR: Dornan (CA).

STATUS: No action.

PREVIOUSLY SUBMITTED AS: H.R. 1433 March 1987,  
H.R. 5402 Aug. 1986.

RELATED BILLS: H.R. 4631 June 1979,  
H.R. 2427 Feb. 1979.

23. January 19, 1989; H.R. 560.

(To promote the dissemination of biomedical information through modern methods of science and technology and to prevent the duplication of experiments on live animals, and for other purposes.); 101st Congress.

This Act may be cited as the "Information Dissemination and Research Accountability Act". Biomedical information must be made available to maximize its usefulness to the research community, reviewers and others involved in Federal funding of research. At present there is inefficient storage and retrieval of the information which leads to duplication, unnecessary use of animals and high taxpayer cost. The National Center for Research Accountability is created at the National Library of Medicine to make biomedical information available. Translation of documents to English is excluded in this version.

HOUSE COMMITTEE: Energy and Commerce.

SPONSOR: Torricelli.

STATUS: No action.

PREVIOUSLY SUBMITTED AS: H.R. 1708 March 1987,  
H.R. 5486 Sept. 1986,  
H.R. 1145 Feb. 1985.

24. January 3, 1989; H.R. 425.

(To amend the Animal Welfare Act with respect to the issuance of temporary restraining orders and injunctions in certain cases.); 101st Congress.

This Act may be cited as the Animal Welfare Protection Act of 1989. The Animal Welfare Act is amended by adding a section which discusses violations to the Act. If the Secretary has reason to believe that any dealer, carrier, exhibitor or intermediate handler is endangering the health of any animals or dealing in stolen animals, then a restraining order or injunction may be filed against the operator to keep that person from further operation.

HOUSE COMMITTEE: Agriculture.

SPONSOR: Roth.

STATUS: No action.

PREVIOUSLY SUBMITTED AS: H.R. 241 Jan. 1987,  
H.R. 5678 Oct. 1986.

25. January 3, 1989; H.R. 84.

(To prohibit certain practices in the raising of calves for veal, and for other purposes.); 101st Congress.

This Act may be cited as the "Veal Protection Act". The existing methods for raising veal causes unnecessary physical and behavioral restrictions and deprivation. It is unlawful for a person to raise calves in inappropriate enclosures which do not accommodate the body length of the calf plus six inches and which do not allow an appropriate amount of physical contact with other members of the same species. Calves must be fed sufficient solid food and iron to maintain the animal's health. Penalty for violating prescribed rules is decreased from \$5000 to \$3000.

SPONSOR: Bennett.

HOUSE COMMITTEE: Agriculture.

STATUS: No action.

PREVIOUSLY SUBMITTED AS: H.R. 2859 July 1987.

26. January 3, 1989; H.Con.Res. 4.

(Condemning the use of rapid decompression as a method of animal euthanasia.); 101st Congress.

The humaneness of rapid decompression is questionable in that the animal may experience severe ear, sinus and abdominal pain, as well as, bloating, bleeding and convulsions. The use of rapid decompression and the manufacture of decompression chamber devices is condemned.

HOUSE COMMITTEE: Agriculture.

SPONSOR: Jacobs.

STATUS: No action.

PREVIOUSLY SUBMITTED AS: H.Con.Res. 190 Sept. 1987.

27. January 3, 1989; H.Con.Res. 6.

(Expressing the sense of Congress that any Federal agency that utilizes the Draize rabbit eye irritancy test should develop and validate alternative ophthalmic testing procedures that do not require the use of animal test subjects.); 101st Congress.

Whereas the Draize rabbit eye irritancy test has long been used as a means of testing hazardous substances, it also causes significant pain to the albino rabbit which is used as the test subject. The accuracy of the Draize test is also in question. Therefore, congress expresses the need for alternatives to the Draize test which do not involve the use of animal subjects.

HOUSE COMMITTEE: Energy and Commerce.

SPONSOR: Jacobs.

STATUS: No action.

PREVIOUSLY SUBMITTED AS: H.Con.Res. 19 Jan. 1987,  
H.Con.Res. 15 Jan. 1985,  
H.Con.Res. 27 Jan. 1981,  
H.Con.Res. 455 Oct. 1980.

RELATED BILLS: S.Res. 65 Feb. 1981,  
S.Res. 534 Sept. 1980.

28. January 3, 1989; H.J.Res. 57.

(Directing the Secretary of Agriculture to conduct a study of the effectiveness of current laws and regulations in protecting dogs and puppies bred and raised for sale to retail pet stores from inhumane treatment and premature shipment.); 101st Congress.

In spite of the existence of laws to ensure the humane treatment of dogs and puppies raised for commercial sale, many animals are still housed in overcrowded, unsanitary shelters and subject to overbreeding and premature shipment from breeders. A study on this subject is advised, the results of which are to be published in the next annual report.

HOUSE COMMITTEE: Agriculture.

SPONSOR: Lloyd.

STATUS: No action.

PREVIOUSLY SUBMITTED AS: H.J.Res. 287 May 1987.



29. January 3, 1989; H.Con.Res. 21.

(Urging a moratorium on the commercial killing of whales.); 101st Congress.

Whales are of great scientific and public interest. In 1972 a resolution was adopted calling for a ten year moratorium on commercial whaling. Whereas there are ongoing conservation efforts, it is the consensus of Congress that the International Whaling Commission is not providing adequate protection to the whale populations. Congress urges that Brazil, Denmark, Iceland, Japan, Norway and the Soviet Union (parties to the International Convention for the Regulation of Whaling which still engage in whaling) and Chile, the People's Republic of China, Peru, Portugal, the Republic of Korea, the Democratic Republic of Korea, Spain and Taiwan (not parties to the Convention and engage in whaling) voluntarily comply with a moratorium.

HOUSE COMMITTEE: Foreign Affairs.

SPONSOR: Roe.

STATUS: No Action.

PREVIOUSLY SUBMITTED AS: H.Con.Res. 18 Jan. 1987.

PUBLIC LAWS RELATING TO ANIMAL WELFARE  
1989

1. August 4, 1990; S. 1390.

(To provide for the construction of biomedical facilities in order to ensure a continued supply of specialized strains of mice essential to biomedical research in the United States, and for other purposes.); 101st Congress.

A contract will be awarded on a competitive basis to a public or nonprofit private entity for the purpose of developing and breeding specialized strains of mice including inbred and mutant mice. The entity must agree to use the facility for this purpose for a 20-year period, produce sufficient numbers of mice, and sell these mice at a reasonable price.

SENATE COMMITTEE: Labor and Human Resources.

STATUS: Became Public Law No. 101-190 on November 29, 1989.

PREVIOUSLY SUBMITTED AS: H.R. 3091 August 1989.

2. August, 1, 1989; H.R. 3072.

(Making appropriations for the Department of Defense for the fiscal year ending September 30, 1990, and for other purposes.); 101st Congress.

Section 9028 stipulates that none of the funds appropriated by this Act shall be used to purchase dogs or cats or otherwise fund the use of these animals for training Department of Defense students or other personnel in surgical or medical treatment of wounds produced by any type of weapon: Provided, That the treatment of animals adheres to the Federal Animal Welfare Law and to those standards prevailing in the civilian medical community. Section 9077 specifies that upon capture and removal of wild horses or burros from the White Sands Missile range, the Secretary may transfer animals to the Secretary of Interior. Animal shall be treated as excess animals under the Wild Free-Roaming Horses and Burros Act (16 U.S.C. 1333(b)(2)): Provided, That the cost of processing be reimbursed by the Secretary of the Army, not in excess of \$200,000.

HOUSE COMMITTEE: Committee on Appropriations.

STATUS: Became Public Law No. 101-165 on November 21, 1989.





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